

**TRANSMITTAL
FORM**

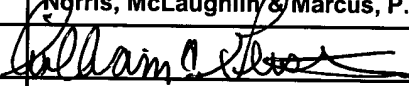
(To be used for all correspondence after initial filing)

TRANSMITTAL FORM (To be used for all correspondence after initial filing)		Application Number	09/763,679
		Filing Date	February 26, 2001
		First Named Inventor	Ulrich REINERS
		Examiner Name	To Be Assigned
Total Number of Pages in This Submission		Attorney Docket Number	K&W 305-WCG

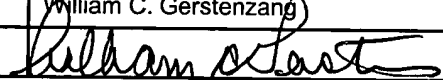
ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip(PTO/SB/69) and Accompanying Petition <input type="checkbox"/> To convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): - Communication (Join-Up Letter) - Copy of Notification of Missing Requirements Under 35 USC 371 - Combined Declaration and Power of Attorney
Remarks:		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	William C. Gerstenzang Norris, McLaughlin & Marcus, P.A.	
Signature		Reg. No. 27,552
Date	August 2, 2001	

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to : Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: August 2, 2001.			
Typed or printed name	William C. Gerstenzang		
Signature		Date	August 2, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



Attorney Docket No. : K&W 305-WCG
: CH8005US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Ulrich REINERS and Michel PITTET
PCT Application No.: PCT/EP99/06191
Serial No. : 09/763,679
Filed : February 26, 2001
For : PACKAGING MATERIAL WITH A POLYOLEFIN FOAM
LAYER
Art Unit : To Be Assigned
Examiner : To Be Assigned

August 2, 2001

Box PCT
Assistant Commissioner
For Patents
Washington, D.C. 20231

S I R:

**COMMUNICATION RE: FILING OF DECLARATION ON
A DATE LATER THAN THE FILING DATE OF SPECIFICATION**

This is in response to the Notification of Missing Requirements Under 35 U.S.C. 371 dated March 26, 2001, in the above-identified application. It is respectfully requested that the enclosed declaration submitted herewith be joined up with the papers previously filed in this Application. A copy of said Notification is attached hereto.

It is respectfully requested that the enclosed translation submitted herewith be joined up with the papers previously filed in this Application.

Applicant is:

☐ a small entity

☐ verified statement attached

☒ other than a small entity ☐ verified statement filed

It is requested that the surcharge for the filing of the Declaration be charged to the undersigned's Deposit Account No. 14-1263.

Please charge:

☐ \$ 65.00 for small entity

☒ \$130.00 for other than small entity.

An extra copy of this communication is appended hereto for accounting purposes.

CONDITIONAL PETITION FOR EXTENSION OF TIME

If any extension of time for this response is required, applicant requests that this be considered a petition therefor. Please charge the required Petition fee to Deposit Account No. 14-1263.

ADDITIONAL FEE

Please charge any insufficiency of fees, or credit any excess to our Deposit Account No. 14-1263.

Respectfully submitted,

NORRIS, McLAUGHLIN & MARCUS, P.A.

00/21/2001 MKAYPAGH 00000057 141263 09763679

02 FC:154 130.00 CH

By 

William C. Gerstenzang
Reg. No. 27,552

WCG:gb

Enc.- Declaration and Power of Attorney

- Copy of Notification of Missing Requirements

220 East 42nd Street, 30th Floor
New York, New York 10017
(212) 808-0700

I hereby certify that this correspondence is being deposited with the United States Postal Services as first class mail in an envelope addressed to: Box PCT, Asst. Commissioner For Patents, Washington, D.C. 20231 on August 2, 2000.

NORRIS, McLAUGHLIN & MARCUS, P.A.

By 

Date 8/2/01



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: ASSISTANT COMMISSIONER FOR PATENTS
Box PCT
Washington, D.C. 20231

U.S. APPLICATION NO. 09/763679	FIRST NAMED APPLICANT REINERS	ATTY. DOCKET NO. K&W 305-WCG
NORRIS MCLAUGHLIN & MARCUS 220 EAST 42ND STREET 30TH FLOOR NEW YORK, NY 10017		INTERNATIONAL APPLICATION NO. PCT/EP99/06191
		I.A. FILING DATE 24 AUG 99
		PRIORITY DATE 02 SEP 98
		DATE MAILED: 26 MAR 2001

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as
- ☐ a Designated Office (37 CFR 1.494),
 - ☒ an Elected Office (37 CFR 1.495):
 - ☒ U.S. Basic National Fee.
 - ☒ Copy of the international application in:
 - ☒ a non-English language.
 - ☐ English.
 - ☒ Translation of the international application into English.
 - ☐ Oath or Declaration of inventors(s) for DO/EO/US.
 - ☐ Copy of Article 19 amendments.
 - ☒ Translation of Article 19 amendments into English.
 - ☒ The International Preliminary Examination Report in English and its Annexes, if any.
 - ☒ Translation of Annexes to the International Preliminary Examination Report into English.
 - ☒ Preliminary amendment(s) filed 26 FEB 01 and _____
 - ☐ Information Disclosure Statement(s) filed _____ and _____
 - ☐ Assignment document.
 - ☐ Power of Attorney and/or Change of Address.
 - ☐ Substitute specification filed _____
 - ☐ Verified Statement Claiming Small Entity Status.
 - ☒ Priority Document.
 - ☒ Copy of the International Search Report ☒ and copies of the references cited therein.
 - ☐ Other:
2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:
- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 - ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
 - ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
 - ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.
 - ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
 - ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).
3. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☐ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later that the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.
5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed:

☐ PCT/DO/EO/917

☐ Notice of Defective Translation

☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

COTTMAN, DARRELL C.

Telephone: 703-305-3693